

CHAMBER ACTION

1 The Education Appropriations Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

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6 A bill to be entitled

7 An act relating to educational opportunities for children
8 and spouses of deceased or disabled veterans and
9 servicemembers; amending s. 295.01, F.S.; providing that
10 it is the declared policy of the state to provide
11 educational opportunity at state expense for spouses of
12 deceased or disabled servicemembers; providing criteria
13 for qualification for such benefits for unremarried
14 spouses of deceased servicemembers and dependent spouses
15 of disabled servicemembers; amending s. 295.02, F.S.;
16 specifying uses of funds appropriated for such educational
17 opportunities; amending s. 295.03, F.S., relating to
18 withdrawal of benefits upon failure to comply with minimum
19 educational requirements; revising terminology; amending
20 s. 295.05, F.S., relating to enrollment as a prerequisite
21 to receipt of benefits; revising terminology; amending s.
22 295.015, F.S.; removing a limitation with respect to the
23 provision of educational opportunity at state expense for

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24 dependent children either of whose parents became
 25 classified as prisoners of war or missing in action in the
 26 service of the Armed Forces of the United States or
 27 civilian personnel captured while serving with the consent
 28 or authorization of the United States Government;
 29 providing an effective date.

30

31 Be It Enacted by the Legislature of the State of Florida:

32

33 Section 1. Section 295.01, Florida Statutes, is amended to
 34 read:

35 295.01 Children of deceased or disabled veterans; spouses
 36 of deceased or disabled servicemembers; education.--

37 (1) It is hereby declared to be the policy of the state to
 38 provide educational opportunity at state expense for dependent
 39 children either of whose parents entered the Armed Forces and:

40 (a) Died as a result of service-connected injuries,
 41 disease, or disability sustained while on active duty; or

42 (b) Has been:

43 1. Determined by the United States Department of Veterans
 44 Affairs or its predecessor to have a service-connected 100-
 45 percent total and permanent disability rating for compensation;

46 2. Determined to have a service-connected total and
 47 permanent disability rating of 100 percent and is in receipt of
 48 disability retirement pay from any branch of the United States
 49 Armed Services; or

50 3. Issued a valid identification card by the Department of
 51 Veterans' Affairs in accordance with s. 295.17,

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53 when the parents of such children have been ~~bona fide~~ residents
54 of the state for 1 year immediately preceding the death or
55 occurrence of such disability, and subject to the rules,
56 restrictions, and limitations set forth in this section.

57 (2) It is also the declared policy of the state to provide
58 educational opportunity at state expense for spouses of deceased
59 or disabled servicemembers.

60 (a) The unremarried spouse of a deceased servicemember, as
61 defined in s. 250.01, qualifies for the benefits under this
62 section:

63 1. If the servicemember and his or her spouse had been
64 residents of the state for 1 year immediately preceding the
65 servicemember's death and the servicemember's death occurred
66 under the circumstances provided in subsection (1); and

67 2. If the unremarried spouse applies to use the benefit
68 within 5 years after the servicemember's death.

69 (b) The dependent spouse of a disabled servicemember, as
70 defined in s. 250.01, qualifies for the benefits under this
71 section:

72 1. If the servicemember and his or her spouse have been
73 married to each other for 1 year; and

74 2. If the servicemember and his or her spouse have been
75 residents of the state for 1 year immediately preceding the
76 occurrence of the servicemember's disability and the disability
77 meets the criteria set forth in subsection (1); and

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78 3. Only during the duration of the marriage and up to the
79 point of termination of the marriage by dissolution or
80 annulment.

81
82 All rules, restrictions, and limitations set forth in this
83 section shall apply.

84 ~~(3)(2)~~ Sections 295.03, 295.04, 295.05, and 1009.40 shall
85 apply.

86 ~~(4)(3)~~ The State Board of Education shall adopt rules for
87 administering this section.

88 Section 2. Section 295.02, Florida Statutes, is amended to
89 read:

90 295.02 Use of funds; age, etc.--

91 (1) All Sums appropriated and expended to carry out the
92 provisions of s. 295.01(1) under this chapter shall be used to
93 pay tuition and registration fees, board, and room rent and to
94 buy books and supplies for the children of deceased or disabled
95 veterans or service members, as defined and limited in s.
96 295.01, s. 295.016, s. 295.017, s. 295.018, s. 295.0185, or s.
97 295.0195, or of parents classified as prisoners of war or
98 missing in action, as defined and limited in s. 295.015, who are
99 between the ages of 16 and 22 years and who are in attendance at
100 a state-supported institution of higher learning, including a
101 community college or career center. Any child having entered
102 upon a course of training or education under the provisions of
103 this chapter, consisting of a course of not more than 4 years,
104 and arriving at the age of 22 years before the completion of

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105 | such course may continue the course and receive all benefits of
106 | the provisions of this chapter until the course is completed.

107 | (2) Sums appropriated and expended to carry out the
108 | provisions of s. 295.01(2) shall be used to pay tuition and
109 | registration fees for the spouses of deceased or disabled
110 | veterans or servicemembers, as defined and limited in s. 295.01,
111 | who are enrolled at a state-supported institution of higher
112 | learning, including a community college or career center.
113 | Notwithstanding the benefits disbursement provision in s.
114 | 295.04, such funds shall be applicable for up to 110 percent of
115 | the number of required credit hours of an initial baccalaureate
116 | degree or certificate program for which the spouse is enrolled.

117 | (3) The Department of Education shall administer this
118 | educational program subject to regulations of the department.

119 | Section 3. Section 295.03, Florida Statutes, is amended to
120 | read:

121 | 295.03 Minimum requirements.--Upon failure of any student
122 | ~~child~~ benefited by the provisions of this chapter to comply with
123 | the ordinary and minimum requirements of the institution
124 | attended, both as to discipline and scholarship, the benefits
125 | thereof shall be withdrawn as to the student ~~child~~ and no
126 | further moneys expended for his or her benefits so long as such
127 | failure or delinquency continues.

128 | Section 4. Section 295.05, Florida Statutes, is amended to
129 | read:

130 | 295.05 Admission; enrollment.--Eligibility for admission
131 | is not affected by this chapter, but all students ~~children~~
132 | receiving benefits under this chapter shall be enrolled

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133 | according to the customary rules and requirements of the
134 | institution attended.

135 | Section 5. Section 295.015, Florida Statutes, is amended
136 | to read:

137 | 295.015 Children of prisoners of war and persons missing
138 | in action; education.--

139 | (1) It is hereby declared to be the policy of the state to
140 | provide educational opportunity at state expense for dependent
141 | children either of whose parents became classified as prisoners
142 | of war or missing in action in the service of the Armed Forces
143 | of the United States ~~during the Korean Conflict or during the~~
144 | ~~Vietnam Era, as defined in s. 1.01(14),~~ or civilian personnel
145 | captured while serving with the consent or authorization of the
146 | United States Government. Such educational opportunity shall be
147 | provided until such time as the parent so classified is returned
148 | alive or the parent's remains are recovered; provided that, in
149 | order to be eligible, the parents of such children must have
150 | been bona fide residents of the state for 5 years next preceding
151 | their application for the benefits hereof and must be permanent
152 | residents of the state on the effective date of this act.

153 | (2) The provisions of ss. 295.03, 295.04, 295.05, and
154 | 1009.40 shall apply.

155 | Section 6. This act shall take effect July 1, 2006.